

---

**Ecology & Parks Committee**

---

**SSB 6761**

**Brief Description:** Regarding service areas for wetlands mitigation banks.

**Sponsors:** Senate Committee on Transportation (originally sponsored by Senators Haugen, Swecker, Spanel and Rasmussen).

**Brief Summary of Substitute Bill**

- Requires a wetland mitigation bank service area be restricted to an area within the water resource inventory area where the bank is located.

**Hearing Date:** 2/22/08

**Staff:** Jaclyn Ford (786-7339).

**Background:**

A wetland mitigation bank is a wetland, stream, or other aquatic resource that has been restored or created for the purpose of providing compensation for unavoidable impacts to aquatic resources. Units of mitigation can be bought from a wetland bank and credited as mitigation against projects with unavoidable wetland impacts.

The Department of Ecology (DOE) has rule making authority to select all criteria determining the service area for each bank. A service area is the geographic area in which a wetland bank can be used to offset impacts to other wetlands.

**Summary of Bill:**

The criteria for determining a service area for a wetland mitigation bank must include restricting the maximum allowable service area to the water resource inventory area (WRIA) in which the bank is located. Under exceptional circumstances, or if a project is partially located in more than one WRIA, a service area may include parts of an adjacent WRIA. For linear projects, such as roadway improvements, credits may be used towards a project that is located at least 75 percent within the banks service area.

---

*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

The DOE and the appropriate county or city in which the bank is located has final approval for determining the service area for specific banks.

**Appropriation:** None.

**Fiscal Note:** Requested on February 20, 2008.

**Effective Date:** The bill takes effect 90 days after adjournment of session in which bill is passed.